

JAN 22 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ERIC PETERSEN,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

No. 07-16218

D.C. No. CV-06-01364-AWI

MEMORANDUM *

Appeal from the United States District Court
for the Eastern District of California
Anthony W. Ishii, District Judge, Presiding

Submitted January 13, 2009**

Before: O'SCANNLAIN, BYBEE, and CALLAHAN, Circuit Judges.

Eric Petersen appeals pro se from the district court's judgment dismissing
for lack of subject matter jurisdiction his action challenging a final administrative

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

judgment by the Department of Labor (“Department”) concerning his worker’s compensation claim. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo, *Staacke v. U.S. Sec’y of Labor*, 841 F.2d 278, 280 n.1 (9th Cir. 1988), and we affirm.

The district court properly dismissed the action because the Federal Employees’ Compensation Act (“FECA”), 5 U.S.C. §§ 8101 *et seq.*, provides an exclusive and comprehensive program of workers’ compensation for government employees injured in work-related accidents, *see Lance v. United States*, 70 F.3d 1093, 1095 (9th Cir. 1995) (per curiam), and district courts have no jurisdiction to review final judgments in FECA matters rendered by the Department, *see Staacke*, 841 F.2d at 281.

Petersen’s remaining contentions are unavailing.

AFFIRMED.